

Notice of Allowability

Application No.

09/490,761

Applicant(s)

CROCKER ET AL.

Examiner

Art Unit

Matthew R Demicco

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to an amendment filed 4/26/04.
2. ☒ The allowed claim(s) is/are 3-15, 19-22, 24, 27-28, 59-62, 65 and 67-72 renumbered 2-6, 1, 7-17, 19-20, 18, and 21-31 respectively.
3. ☒ The drawings filed on 22 September 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

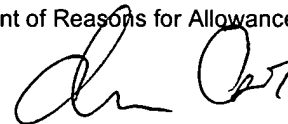
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


CHRIS GRANT
PRIMARY EXAMINER

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Dean Wolf on 2/18/05.

The application has been amended as follows:

In Claims 3-4, 6-7, 10, 14, 19-22, 24, 27-28, 62 and 65, replace "Previously Amended" with --Previously Presented--.

In Claims 69-72, replace "Previously Added" with --Previously Presented--.

Response to Amendment

2. This action is responsive to an amendment filed 4/26/04. Claims 3-15, 19-22, 24, 27-28, 59-62, 65 and 67-72 are pending. Claims 1-2, 16-18, 23, 25-26, 29-58, 63-64 and 66 are cancelled. Claims 8, 59 and 67-68 are amended.

Allowable Subject Matter

3. Claims 3-15, 19-22, 24, 27-28, 59-62, 65 and 67-72, renumbered 2-6, 1, 7-17, 19-20, 18, and 21-31 respectively are allowed.

Regarding Claim 1, the Examiner found no prior art, nor motivation to combine said prior art, that teaches a method of synchronizing time reference devices in the Head End of an access network with a plurality of distinct physical line cards and time reference devices, a synchronization signal to time-synchronize each device with each other, a first downstream channel transmitter and at least one first upstream receiver, and a second downstream channel transmitter and receiver, wherein a first time reference message is provided to a first node on the first downstream channel associated with the first time reference device and data is received from the first node at the head end via the second upstream channel including all subsequent limitations.

Regarding Claim 14, the Examiner found no prior art, nor motivation to combine said prior art, that teaches a method of configuring an access network comprising a Head End and a plurality of nodes, including an access control system having a plurality of media access controllers with respective interfaces to the network, each including a distinct time reference device and a distinct plurality of ports for communicating with a plurality of nodes, comprising synchronizing the time reference devices in each of the controllers, assigning selected ports from the interfaces to particular domains where at least one port from a first interface is assigned to a first domain, and where at least one port from a second interface is assigned to the first domain in a cable modem network where the domains are DOCSIS domains.

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Regarding Claim 18, the Examiner found no prior art, nor motivation to combine said prior art, that teaches a method of synchronizing nodes in an access network to a common time reference wherein a first node is provided with a first time reference message via a first downstream channel associated with a first media access controller, and a second node is provided with a second time reference message via a second downstream channel associated with a second media access controller, and wherein the nodes are synchronized together in a cable modem network across different physical line cards using the DOCSIS standard and wherein the first and second nodes are cable modems belonging to a first DOCSIS domain.

Regarding Claims 21, 24, 25 and 26-31, see Claims 1, 14 and 18 above.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew R Demicco whose telephone number is (703) 305-8155. The examiner can normally be reached on Mon-Fri, 9am - 5pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on (703) 305-4755. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

WFO

mrd

November 19, 2004


CHRIS GRANT
PRIMARY EXAMINER